

AJV:kaa 03/30/06 461334
PATENTAttorney Reference Number 6541-61435-01
Application Number 10/017,629Remarks

Reconsideration of the application is respectfully requested in view of the foregoing amendments and following remarks. Claims 1, 4-18, 20 and 22-24 are pending. This response amends claims 1, 6, 16-18 and 20 and cancels claims 15 and 23 without prejudice.

Examiner Interview

Applicants thank the Examiner for the courtesy of a telephonic interview on January 25, 2006. The interview addressed claims 6 and 15, but no agreement was reached on the claims.

Rejections under 35 USC § 103(a) over Caldwell

Claims 1, 4, 6, 7, 10, 12-16, 18, 20, 22-24 stand rejected under 35 USC § 103(a) over U.S. Pat. No. 5,644,624 to Caldwell (Caldwell) in view of the Action's statement at page 2 that "the use of a wireless device for special services (for example cordless phone) is well known in the art." Applicants respectfully traverse this rejection. The rejections of claims 15 and 23 are moot in light of the cancellation of these claims.

Independent Claim 1

Claim 1, as amended, is directed toward:

A wireless phone comprising . . .
a call queue function, the call queue function to enable the configuration of an outgoing call queue stored in a server accessible over a network, the outgoing call queue comprising an ordered list of entries to dial; and
a queue dial function which, when operated, cooperates with the server to result in a dialing of a first entry of the outgoing call queue and to result in removing the first entry from the outgoing call queue, *wherein the call queue is associated with a call queue identifier, and wherein the call queue identifier is used to establish an association between the call queue and the processor. . .*

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For example, the original specification describes at page 6, line 26 – page 7, line 2 (emphasis added):

Operation of the queue dial function results in the phone 304 communicating a queue dial request to the MSC 104. *An id also is provided from the phone 304 to the MSC 104, which passes the id and queue dial request to the HLR 106. . . . The HLR 106 employs the id to identify the wireless device and to locate the call queue 204 for the user. In other words, the call queue is indexed according to the identification of the wireless device.*

Caldwell describes a “numbers queue” (see, e.g., Abstract), but does not teach or suggest an identifier for the numbers queue. *Accordingly, Caldwell is silent as to a call queue “associated with a call queue identifier . . . wherein the call queue identifier is used to establish an association between the call queue and the processor.”*

For at least these reasons, Caldwell does not teach or suggest the method of claim 1, and claim 1 is allowable over Caldwell. Claim 4 depends from claim 1 and is allowable for at least the reasons stated above for its parent claim, as well as for the unique combination of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

Independent Claim 6

Claim 6, as amended, is directed toward:

A communication system of a communication service provider, comprising:
a first computer system, comprising:
a call queue for a wireless device, *the call queue comprising one or more numbers to dial, wherein the call queue is associated with a call queue identifier, and wherein the call queue identifier is used to establish an association between the call queue and the wireless device. . . .*

For example, the original specification describes at page 6, line 26 – page 7, line 2 (emphasis added):

Operation of the queue dial function results in the phone 304 communicating a queue dial request to the MSC 104. *An id also is provided from the phone 304 to the MSC 104, which passes the id and queue dial request to the HLR 106. . . . The HLR 106 employs*

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the id to identify the wireless device and to locate the call queue 204 for the user. In other words, the call queue is indexed according to the identification of the wireless device.

The amendment clarifies the separate nature of the numbers to dial in the call queue and the call queue identifier.

As similarly explained above with respect to claim 1, Caldwell describes a "numbers queue" (see, e.g., Abstract), but does not teach or suggest an identifier for the numbers queue.

Accordingly, Caldwell is silent as to a call queue "associated with a call queue identifier . . . wherein the call queue identifier is used to establish an association between the call queue and the wireless device." For at least these reasons, claim 6 is allowable over Caldwell. Claims 7 and 12-14 depend from claim 6 and are allowable for at least the reasons stated above for their parent claim, as well as for the unique combinations of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

Dependent Claim 16

Claim 16 was formerly dependent on claim 15, and has been amended to depend from claim 1. The original specification contains support for the amendment at, for example, page 3, lines 11-12. Claim 16 is allowable over Caldwell for the reasons stated above with respect to its new parent claim, as well as for the unique combination of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

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Independent Claim 18

Claim 18, as amended, is directed toward:

A method comprising:

dialing a first number of a call queue stored by a *visiting location register*, in response to an operation of a queue dial function in a wireless communication device which accesses the server over a wireless network, *wherein the call queue was transferred from a home location register to the visiting location register*. . . .

For example, the original specification describes at page 7, lines 9-12 (emphasis added):

In situations where the phone 304 is roaming away from a home service area, *the HLR 106 may communicate the call queue 204 to a visitor location register (VLR - not shown)*. The VLR may then provide to an MSC in the roaming service area the numbers from the queue 204 in response to a queue dial request from the phone 304.

Caldwell does not teach or suggest such a method. For example, *Caldwell is silent as to "a call queue stored by a visiting location register," as to transferring a call queue "from a home location register to the visiting location register," and as to a home or a visitor location register in general*. Instead, Caldwell simply describes a system that "is attached by an incoming telephone line 106 to a public telephone network. . . ." See col. 3, lines 35-36.

Caldwell also describes a "calls pending Queue [in] parameter storage 422" (see col. 7, lines 7-9), but is silent as to a call queue being transferred between two locations in general, and in particular between a home location register and a visiting location register. For at least these reasons, claim 18 is allowable over Caldwell. Claim 24 is directed toward one or more computer-readable media having computer-executable instructions for performing the method of claim 18. Claim 24 is therefore allowable for reasons similar to those for which claim 18 is allowable. The rejection should be withdrawn, and such action is respectfully requested.

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Independent Claim 20

Claim 20, as amended, is directed toward:

A wireless device, comprising:
a queue dial function which, when operated, *causes a server to send a call queue comprising an ordered set of entries to a home location register* and results in a dialing of a next entry in the call queue. . . .

For example, the original specification describes at page 6, lines 21-23 (emphasis added):

The server 308 provides the queue information (entries, and possibly the dial order) to the HLR 106, and the HLR 106 associates the queue information with the user in some manner, for example in the user record in the registry 108.

See also Fig. 3.

Caldwell does not teach or suggest such a wireless device. For example, Caldwell is silent as to “a queue dial function which . . . causes a server to *send a call queue to a home location register.*” As noted above with respect to claim 18, Caldwell is silent as to a home location register. For at least these reasons, Caldwell does not teach or suggest the wireless device of claim 20. Claim 22 depends from claim 20 and is allowable for at least the reasons stated above in support of its parent claim, as well as for the unique combination of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

Rejections under 35 USC § 103(a) over Caldwell in View of Taylor

Claim 5 stands rejected under 35 USC § 103(a) over Caldwell in view of U.S. Pat. No. 6,034,687 to Taylor et al. (Taylor). Applicants respectfully traverse this rejection.

As noted above, claim 1 (from which claim 5 depends) is allowable over Caldwell. Taylor does not remedy the deficiencies of Caldwell, and claim 1 is therefore allowable over a Caldwell-Taylor combination. Claim 5 is therefore also allowable over Caldwell and Taylor for

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similar reasons, as well as for the unique combination of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

Rejections under 35 USC § 103(a) over Caldwell in View of Widergren

Claims 8 and 9 stand rejected under 35 USC § 103(a) over Caldwell in view of U.S. Pat. No. 5,890,064 to Widergren et al. (Widergren). Applicants respectfully traverse this rejection.

As noted above, claim 6 (from which claims 8 and 9 depend) is allowable over Caldwell. Widergren does not remedy the deficiencies of Caldwell, and claim 6 is therefore allowable over a Caldwell-Widergren combination. Claims 8 and 9 are therefore also allowable over Caldwell and Widergren for similar reasons, as well as for the unique combinations of features recited therein. The rejection should be withdrawn, and such action is respectfully requested.

Rejections under 35 USC § 103(a) over Caldwell in View of Ahlberg

Claim 11 stands rejected under 35 USC § 103(a) over Caldwell in view of U.S. Pat. No. 5,600,704 to Ahlberg et al. (Ahlberg). Applicants respectfully traverse this rejection.

As noted above, claim 6 (from which claim 11 depends) is allowable over Caldwell. Ahlberg does not remedy the deficiencies of Caldwell, and claim 6 is therefore allowable over a Caldwell-Ahlberg combination. Claim 11 is therefore also allowable over Caldwell and Ahlberg for similar reasons, as well as for the unique combination of features recited therein.

Additionally, Ahlberg and Caldwell, when "considered as a whole," do not "suggest the desirability and thus the obviousness of making the combination" of claim 11. See MPEP 2141. For example, Ahlberg describes a system that

... includes reprioritizing means, responsive to the communications link establishing means, for sorting the prioritized routing list of telephone numbers associated with the

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subscriber. In particular, the prioritized routing list is sorted such that the telephone from which the subscriber responded to the alert is assigned the highest priority and, accordingly, will be initially alerted by the communications link establishing means in response to the next telephone call placed to a telephone associated with the subscriber.

See col. 3, line 63 – col. 4, line 4.

In other words, the system of Ahlberg employs a prioritized list of phone numbers in attempting to contact a subscriber, and notes which phone number in a list of numbers was successfully used to do so. The next time a caller attempts to contact the subscriber, the system will first dial the number that was successfully used during the previous attempt. Thus it is necessary that the “successful” number be *retained* in the list.

In contrast, Caldwell teaches a system and method where “[w]hen a call has been successfully completed the called number will be removed from a numbers queue. . . .” See Abstract. More explicitly, it is a feature of Caldwell that numbers are *removed* from the numbers queue as *successful* calls are made. Thus when both references are considered in their entirety, Ahlberg teaches away from being combined with Caldwell. It would not have been obvious to one of ordinary skill in the art that the invention of claim 11 might be obtained by combining the teachings of Ahlberg and Caldwell.

For at least these reasons, the rejection should be withdrawn, and such action is respectfully requested.

Rejections under 35 USC § 103(a) over Caldwell in View of Humes

Claim 17 stands rejected under 35 USC § 103(a) over Caldwell in view of U.S. Pat. No. 6,721,577 to Humes et al. (Humes). Applicants respectfully traverse this rejection.

Amended claim 17, formerly dependent from claim 15, now depends from claim 1. The original specification contains support for the amendment at, for example, page 3, lines 11-12.

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As noted above, claim 1 (from which claim 17 depends) is allowable over Caldwell. Humes does not remedy the deficiencies of Caldwell, and claim 1 is allowable over a Caldwell-Humes combination. Claim 17 is therefore also allowable over Caldwell and Humes for similar reasons, as well as for the unique combination of features recited therein.

Additionally, Caldwell teaches away from being combined with Humes. "A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention." MPEP 2141.02. Caldwell describes a system and method where "[w]hen a call has been successfully completed *the called number will be removed from a numbers queue. . .*" See Abstract (emphasis added). Humes, on the other hand, describes a system where called numbers are *retained* in a list. The system of Humes is directed toward a method for contacting an individual who may be reached at one of several possible phone numbers. See, e.g., col. 1, lines 17-42. The solution proposed by Humes is to "sequentially originate[] outgoing call connections" according to a list of "linked directory numbers" that are associated with a common party. See, e.g., col. 1, lines 19-23. Removing a directory number from the linked list of Humes would constitute disassociating that number with the other numbers in the list, and accordingly Humes does not teach removing numbers from the linked list. Conversely, it would be illogical for Caldwell to retain a "successfully completed" called number, as the numbers queue would outgrow the system's parameter storage. As Humes and Caldwell take opposite approaches to managing a list of telephone numbers, one of ordinary skill would not be motivated to combine Humes with Caldwell to obtain the invention of claim 17 of the application.

The rejection should be withdrawn, and such action is respectfully requested.

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Conclusion

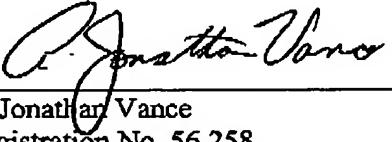
The claims in their present form should now be allowable. Such action is respectfully requested. Should any issues remain, the Examiner is requested to contact the undersigned attorney.

Respectfully submitted,

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